DETAILED ACTION

1.   Claims 1 – 29 have been examined and are pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 2, 7 – 9, 12 – 24, and 26 – 29 are rejected under 35 U.S.C. 102(e) as being

anticipated by U.S. Pub. No. 2005/0080855 A1 to Murray (hereinafter "Murray").

        As to claim 1, Murray teaches **a junk message interface system that facilitates**

identifying junk messages comprising:

        a message receiving component that collects at least one incoming message (Figure 2

and paragraph [0025] of Murray disclose the recipient receiving an e-mail message);

        a filtering component that determines a junk score for the incoming message

(Paragraph [0053] of Murray discloses that a score indicating the likelihood that a

message from a particular sender is unsolicited may be determined. This is seen to be

determining a junk score for incoming messages)**; and**

a display component that renders the junk scores as an actionable property on a user interface to facilitate user management of incoming junk messages (Paragraph [0066] of Murray discloses scores are applied to the message to let the recipient know whether the message is likely spam. This is seen as displaying the rating to the user. Then Murray further explains the score may also be used to sort messages. This is seen to be the same as the junk score being an actionable property since an action is being taken based on the score).

As to claim **2,** Murray teaches **the junk message interface system of claim 1, further comprising a view management component that provides one or more ways the user can modify treatment of the junk messages** (Paragraph [0069] of Murray discloses users being able to set personal "delete" and "spam" thresholds. Where the thresholds that are set determine what message scores should be deleted, kept, or sent to spam. This is seen to be the same as providing a way that the user can modify the treatment of junk messages because how the user sets the thresholds controls the treatment of the incoming messages).

As to claim **7,** Murray teaches **the junk message interface system of claim 1, further comprising an analysis component that examines junk scores of the incoming messages and orders them based at least in part on a spam confidence level associated with the respective messages** (Paragraph [0066] of Murray discloses

scores may be applied to messages to let the recipient know whether the message is likely

spam. Murray further discloses that the score may also be used to sort messages. Then

in paragraph [0086] of Murray an example of sorting being messages that are almost

certainly spam are place at the bottom of the list while ones are that are less likely to be

spam are put closer to the top. This is seen to be the same as ordering the incoming

messages based on their spam scores).

As to claim 8, Murray teaches **the junk message interface system of claim 1,
the display component is a user-interface that exposes a message's junk score to a
user so that the user can organize its messages based in part on the respective junk
scores** (Paragraph [0066] of Murray discloses scores may be applied to messages to let

the recipient know whether the message is likely spam. Murray further discloses that the

score may also be used to sort messages. Since the scores are applied in such a way that

they indicate to a user the likelihood a message is spam it is implied that they are visible.

Then, because these scores are further able to be used to sort the messages, it is seen to be

the same as exposing the junk score so that a user can organize the messages).

As to claim 9, Murray teaches **the junk message interface system of claim 1,
the filtering component further determines whether a source of the message appears
to be trusted based on at least one of the following: user's blocked senders list, safe-
list, address book, and safe-mailing list** (Figure 2 and paragraph [0027] of Murray

disclose if an incoming message is from a sender on a white list (seen to be a safe-

list/safe-mailing list) the message is passed on to the recipient. On the other hand if the message is being sent from a sender on a black list (seen to be a blocked senders list) the message is treated according to the recipient's instructions. As to using an address book Murray explains in paragraph [0026] that the white list may be constructed in part from the contacts and address book of the user).

As to claim 12, Murray teaches **the junk message interface system of claim 1, further comprising a bucketing component that bucketizes junk scores of messages so that the effects of features are seen only in aggregate, thereby mitigating reverse engineering of the junk score** (Paragraph [0069] of Murray discloses members of the network setting "delete" and "spam" thresholds wherein if a message score drops below either threshold it is treated accordingly. This is seen to be the same as bucketizing the messages because scores between the various thresholds are grouped together into that threshold. For example all scores up to and below the "delete" threshold are deleted, and then all scores between the "delete" threshold and "spam" threshold are put in the spam folder. Thus it is seen that the individual scores are being aggregated into these groups).

As to claim 13, Murray teaches **a user interface that facilitates identifying junk messages comprising**

a junk rating field that can be acted upon by a user, the junk rating being determined at least in part upon determining a junk score and at least in part upon

an analysis of the junk score (Paragraph [0066] of Murray discloses scores may be applied to messages to let the recipient know whether the message is likely spam. Murray further discloses that the score may also be used to sort messages. Since the score is seen by the user to indicate the likelihood of the message being spam it is seen to be as a junk rating field. Then the ability to sort the messages by score is seen to be proof of the field being able to be acted upon by a user. Then in paragraph [0067] it is explained that the score (seen to be the rating) is determined as a function of other scores (such as origination and content). This is seen to be the same as the junk rating being based on the junk score and an analysis**).**

As to claim 14, Murray teaches **the user interface of claim 13, messages can be sorted and/or grouped according to their respective junk ratings** (Paragraph [0066] of Murray discloses scores may be applied to messages to let the recipient know whether the message is likely spam. Murray further discloses that the score may also be used to sort messages. This is seen to be sorting by their respective ratings**).**

As to claim 15, Murray teaches **a method that facilitates identification of junk messages in a user's inbox comprising:**

receiving a plurality of incoming messages (Figure 2 and paragraph [0025] of Murray disclose the recipient receiving an e-mail message)**;**

assigning a junk rating to the messages (Paragraph [0053] of Murray discloses that a score indicating the likelihood that a message from a particular sender is unsolicited may be determined. This is seen to be determining a junk score for incoming messages)**; and**

exposing at least the junk rating on a user interface (Paragraph [0066] of Murray discloses scores are applied to the message to let the recipient know whether the message is likely spam. This is seen as displaying the rating to the user)**.**

        As to claim 16, Murray teaches **the method of claim 15, further comprising calculating a junk score for substantially all incoming messages** (Paragraph [0066] of Murray discloses scores may be applied to messages to let the recipient know whether the message is likely spam)**.**

        As to claim 17, Murray teaches **the method of claim 16, further comprising bucketizing the junk scores so that the effects of features are seen only in aggregate, thereby mitigating reverse engineering of the junk score** (Paragraph [0069] of Murray discloses members of the network setting "delete" and "spam" thresholds wherein if a message score drops below either threshold it is treated accordingly. This is seen to be the same as bucketizing the messages because scores between the various thresholds are grouped together into that threshold. For example all scores up to and below the "delete" threshold are deleted, and then all scores between the "delete" threshold and "spam"

threshold are put in the spam folder. Thus it is seen that the individual scores are being aggregated into these groups).

As to claim 18, Murray teaches **the method of claim 15, further comprising organizing junk messages based at least in part upon their junk rating** (Paragraph [0066] of Murray discloses scores may be applied to messages to let the recipient know whether the message is likely spam. Murray further discloses that the score may also be used to sort messages. Then in paragraph [0086] of Murray an example of sorting being messages that are almost certainly spam are place at the bottom of the list while ones are that are less likely to be spam are put closer to the top. This is seen to be the same as ordering the incoming messages based on their spam scores).

As to claim 19, Murray teaches **the method of claim 15, further comprising determining whether at least one of the junk score or the junk rating exceed a first threshold; and removing messages that exceed the first threshold to mitigate inadvertent access of them by the user** (Paragraph [0069] of Murray discloses a delete threshold wherein if a message's score drops below the delete threshold, the message is deleted. This is seen to be the same as checking if a message score exceeds the threshold and subsequently removing (deleting) the message if it does exceed the threshold).

As to claim 20, Murray teaches **the method of claim 19, removing messages that exceed the first threshold before they are viewable on the user interface**

(Paragraph [0054] of Murray discloses thresholds set by the user determine which

messages are passed through the filter and which messages are not. The messages not

sent through the filter can either be deleted or sent to the spam folder. Thus it is seen that

the message can be deleted before passing the filter and thus is not viewable on the user

interface before being removed).

     As to claim 21, Murray teaches **the method of claim 15, the junk rating is**

based at least in part on one of the following: junk score, one or more safe lists, one

or more safe sender lists, user-based actions, and/or user-generated address book

(Figure 2 and paragraph [0027] of Murray disclose if an incoming message is from a

sender on a white list (seen to be a safe-list/safe-mailing list) the message is passed on to

the recipient. As to using an address book Murray explains in paragraph [0026] that the

white list may be constructed in part from the contacts and address book of the user.

Then, in paragraph [0070], Murray discloses a user being able to manually move a

message to the white list or black list. These are seen as being user-based actions that

affect the junk rating).

     As to claim 22, Murray teaches **the method of claim 21, user-based actions**

comprises at least one of the following:

unjunking a message by moving it from a junk state to a non-junk state resulting in

an "unjunked" junk rating (Paragraph [0086] of Murray discloses if a message is

released from the spam folder by the user, it is placed on the white list unless the

recipient decides otherwise. This is seen to be the same as moving a message from a junk

state to a non-junk state);

junking a message by moving it from a non-junk state to a junk state resulting in a

"junked" junk rating (Paragraph [0070] of Murray discloses a user being able to

manually move a message to the blacklist. Wherein the black list is seen to be the same

as giving a message the junked rating)**; and**

adding a sender to one or more safe lists to change the junk rating of the message to

safe (Paragraph [0086] of Murray discloses if a message is released from the spam folder

by the user, it is placed on the white list unless the recipient decides otherwise. This is

seen as adding the sender to the safe lists).

As to claim 23, Murray teaches **the method of claim 22, the user-based actions**

affect the junk rating of the message and/or future messages received from a

particular sender (Paragraph [0070] of Murray discloses a user being able to manually

move a message to the white list or black list. These are seen as being user-based actions

that affect the junk rating. Then in figure 2 of Murray it is disclosed that senders on the

white list automatically get their mail sent to the recipient, while senders on the black list

have their messages processed according to the recipients instructions. Thus is it seen

that the user based action affects both the rating and the future messages received from particular senders).

As to claim 24, Murray teaches **the method of claim 15, assigning a junk rating to messages commensurate with at least their respective junk scores** (Paragraph [0066] of Murray discloses scores may be applied to messages to let the recipient know whether the message is likely spam. This is seen to be the same as assigning the junk rating to messages that are commensurate with their scores because Murray simply has the scores and ratings as the same thing. Hence the junk rating is inherently commensurate with its respective score).

As to claim 26, Murray teaches **the method of claim 15, further comprising exposing respective junk scores for the messages** (Paragraph [0066] of Murray discloses scores may be applied to messages to let the recipient know whether the message is likely spam. This is seen to be exposing the junk scores of the messages).

As to claim 27, Murray discloses **a system that facilitates identification of junk messages in a user's inbox comprising:**

means for receiving a plurality of incoming messages (Figure 2 and paragraph [0025] of Murray disclose the recipient receiving an e-mail message);

means for calculating a junk score for substantially all incoming messages
(Paragraph [0066] of Murray discloses scores may be applied to messages to let the
recipient know whether the message is likely spam)**;**

**means for assigning a junk rating to the messages commensurate with at least their
respective junk scores** (Paragraph [0066] of Murray discloses scores may be applied to
messages to let the recipient know whether the message is likely spam. This is seen to be
the same as assigning the junk rating to messages that are commensurate with their scores
because Murray simply has the scores and ratings as the same thing. Hence the junk
rating is inherently commensurate with its respective score)**; and**

**means for exposing at least one of the junk rating and the junk store on a user
interface** (Paragraph [0066] of Murray discloses scores may be applied to messages to let
the recipient know whether the message is likely spam. This is seen to be exposing the
junk scores of the messages)**.**

As to claim 28, Murray discloses **a data packet adapted to be transmitted
between two or more computer processes facilitating easier viewing and
management of incoming messages, the data packet comprising** (Paragraph [0024] of
Murray discloses the filter being implemented through filtering software associated with
the recipient's e-mail program. Since the e-mail program and filtering software are
somewhat distinct entities it is implied that the information discovered by the filter would

have to be sent to the e-mail program via a data packet. Hence it is seen that a data

packet exists that comprises the following information)**: information associated with**

receiving a plurality of incoming messages (Figure 2 and paragraph [0025] of Murray

disclose the recipient receiving an e-mail message)**; assigning a junk rating to the**

messages commensurate with at least their respective junk scores (Paragraph [0066]

of Murray discloses scores may be applied to messages to let the recipient know whether

the message is likely spam. This is seen to be the same as assigning the junk rating to

messages that are commensurate with their scores because Murray simply has the scores

and ratings as the same thing. Hence the junk rating is inherently commensurate with its

respective score)**; and exposing at least one of the junk rating and the junk store on a**

user interface (Paragraph [0066] of Murray discloses scores may be applied to messages

to let the recipient know whether the message is likely spam. This is seen to be exposing

the junk scores of the messages**).**

     As to claim 29, Murray discloses **a computer readable medium having stored**

thereon the system of claim 1 (Paragraph [0024] of Murray discloses filtering software

and e-mail program that are used to enact the system of claim 1. Inherently software and

programs running on a computer are stored in a computer readable medium. Thus

Murray discloses computer readable medium storing the system of claim 1**).**

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness
        or nonobviousness.

6.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murray.

        As to claim 25, Murray teaches **the method of claim 15, assigning a junk rating**

comprises:

providing a plurality of buckets comprising at least the following categorized

buckets: an unscanned bucket, a light bucket, a medium bucket, and a high bucket,

the plurality of buckets respectively assigned to a range of junk score values

(Paragraph [0069] of Murray discloses members of the network setting "delete" and

"spam" thresholds wherein if a message score drops below either threshold it is treated

accordingly. This is seen to be the same as bucketizing the messages because scores

between the various thresholds are grouped together into that threshold. For example all

scores up to and below the "delete" threshold are deleted, and then all scores between the

"delete" threshold and "spam" threshold are put in the spam folder. Thus it is seen that

the individual scores are being aggregated into these groups consisting of a range of score

values. It is noted that there are only 3 buckets in the reference: delete, spam, and clean.

However having more buckets is a design choice as to how fine a differentiation one

would want between the messages. Thus it would have been obvious to one of ordinary

skill in the art at the time the invention was made to use the 4 buckets disclosed instead

of the 3 buckets in the reference if a user simply wanted a finer set of buckets);

dropping messages into respective buckets based at least in part on their calculated

junk score such that the respective bucket determines the junk rating for the

respective messages (Paragraph [0069] of Murray discloses members of the network

setting "delete" and "spam" thresholds wherein if a message score drops below either

threshold it is treated accordingly. This is seen to be the same as bucketizing the

messages because scores between the various thresholds are grouped together into that

threshold. For example all scores up to and below the "delete" threshold are deleted, and

then all scores between the "delete" threshold and "spam" threshold are put in the spam

folder. Thus it is seen that the individual scores are being aggregated into these groups

consisting of a range of score values**).**

"Common sense teaches, however, that familiar items may have obvious uses beyond their primary purposes, and in many cases a person of ordinary skill will be able to fit the teachings of multiple patents together like pieces of a puzzle...When there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense." See KSR v. Teleflex, 550 U.S. ___, 127 S. Ct. 1727 (2007).

7.　　　Claims 3 – 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murray as applied to claim 2 above, and further in view of U.S. Pub. No. 2004/0148330 A1 to Alspector et al. (hereinafter "Alspector").

　　　　　As to claim 3, Murray teaches **the junk message interface system of claim 2, the view management component comprises any one of the following ways to mitigate against inadvertently opening a junk message comprising:**

sorting and/or grouping messages based at least in part on at least one of their respective junk scores and their respective junk ratings (Paragraph [0066] of Murray discloses scores may be applied to messages to let the recipient know whether the message is likely spam. Murray further discloses that the score may also be used to sort messages);

filtering out messages with at least one of a junk score or a junk rating that does not satisfy at least a first criterion (Paragraph [0069] of Murray discloses a delete threshold wherein if a message's score drops below the delete threshold, the message is deleted. This is seen to be the same as filtering out based on the junk score not satisfying a criterion)**;**

setting one or more actions to take against the messages when at least one of the respective junk scores or junk ratings that do not satisfy at least a second criterion (Paragraph [0069] of Murray discloses a spam threshold wherein if a message's score drops below the spam threshold but not below the delete threshold, the message is placed in the spam folder. This is seen as an action taken on a message when it's score does not satisfy a criterion)**; and**

Murray does not teach but Alspector teaches **visually altering displays of messages according to at least one of their respective junk scores or junk ratings** (Paragraph [0040] of Alspector discloses being able to make messages darker shades of red according to how high their spam score is)**.**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of claim 2 and the ability to sort and filter based on junk

scores as taught by Murray, with visually altering displays of messages as taught by

Alspector.

One of ordinary skill in the art at the time the invention was made would have been

motivated to combine in order to easily let the recipient know whether the message is

likely spam (Paragraph [0066] of Murray).

        As to claim 4, Murray and Alspector teach **the junk message interface system**

of claim 3, the first criterion is configurably different from the second criterion

(Paragraph [0069] of Murray discloses that each member of the network has the option to

set personal "delete" and "spam" thresholds. This is read to be the same as the first

criterion being coinfigurably different from the second criterion because the two

thresholds are able to be individually configured**).**

        As to claim 5, Murray and Alspector teach **the junk message interface system**

of claim 3, at least one of the first and second criteria is determined according to

user preferences (Paragraph [0069] of Murray discloses that each member of the

network has the option to set personal "delete" and "spam" thresholds. This is seen to be

the same as having the criteria determined according to user preferences**).**

        As to claim 6, Murray and Alspector teach **the junk message interface system**

of claim 3, visually altering the displays comprises color-coding, changing fonts, font

sizes, backgrounds, adding or altering images, and/or adding or altering sounds

associated with the respective messages based at least in part on their respective

junk scores (Paragraph [0040] of Alspector discloses displaying messages with higher

spam scores in a darker shade of red than those with lower spam scores. This is seen as

altering the color-coding of the display. The other variants including changing fonts, font

sizes, backgrounds, adding or altering images, or altering sounds, are all seen to be

obvious variants of altering the color coding. This is because they are all used essentially

to make the messages that are most likely to be spam stand out most to the user. As such

teaching color-coding would imply the usage of other obvious variants to make the spam

e-mails stick out to the user).

Examiner recites the same rationale to combine used in claim 3.

8.   Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murray

as applied to claim 1 above, and further in view of U.S. Pub. No. 2005/0159136 A1 to Rouse et

al. (hereinafter "Rouse").

        As to claim 10, Murray teaches the junk message interface system of claim 1.

Murray does not teach but Rouse teaches further comprising a verification component

that requests confirmation regarding user-initiated actions on rated messages

(Paragraph [0062] of Rouse discloses enabling a user to delete selected messages. In

addition, a delete message may be displayed to the user to confirm this action. This is

seen as requesting confirmation regarding a user-initiated action).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the system of claim 1 as taught by Murray, with requesting

confirmation regarding user actions as taught by Rouse.

One of ordinary skill in the art at the time the invention was made would have been

motivated to combine in order to help prevent the user from committing an action that

they did not intend. It is very common for actions that have lasting effects to have some

sort of confirmation to prevent accidents. For example when sending in payments it is

very common to be asked to confirm an order, this is done to prevent the user from

making a mistake. As such it would have been obvious to implement confirmation

requests in response to user actions.

"Common sense teaches, however, that familiar items may have obvious uses beyond

their primary purposes, and in many cases a person of ordinary skill will be able to fit the

teachings of multiple patents together like pieces of a puzzle...When there is a design

need or market pressure to solve a problem and there are a finite number of identified,

predictable solutions, a person of ordinary skill has good reason to pursue the known

options within his or her technical grasp. If this leads to the anticipated success, it is

likely the product not of innovation but of ordinary skill and common sense." See KSR v.

Teleflex, 550 U.S. ___, 127 S. Ct. 1727 (2007).

As to claim 11, Murray and Rouse teach **the junk message interface system of**

claim 10, the verification component fails user requests to perform an action with

respect to a junk message until the user requests are verified by the users (Paragraph

[0062] of Rouse discloses enabling a user to delete selected messages. In addition, a

delete message may be displayed to the user to confirm this action. It is inherent that

when asking a user for confirmation of an action, the action would not take place until the

user verifies the request. Otherwise the confirmation request would not be accomplishing

anything and would not have been done in the first place**).**

Examiner recites the same rationale to combine used in claim 10.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

-    U.S. Pat. No. 7117358 'Method and System for Filtering Communications' to

     Bandini et al.

-    U.S. Pat. No. 6615242 'Automatic Uniform Resource Locator-Based Message Filter'

     to Riemers

-    U.S. Pat. No. 7293063 'System Utilizing Updated Spam Signatures for Performing

     secondary Signature-Based Analysis of A Held E-mail to Improve Spam E-mail

     Detection' to Sobel

-    U.S. Pub. No. 2004/0210640 'Mail Server Probability Spam Filter' to Chadwick et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN S. MAI whose telephone number is (571)270-5001. The examiner can normally be reached on Monday through Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached on 571-272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KSM

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Supervisory Patent Examiner, Art Unit 4121
1/18/2008